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6 UNITED STATES DISTRICT COURT  
7 NORTHERN DISTRICT OF CALIFORNIA

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9 ADRIAN AGUILAR, individually and on  
10 behalf of all others similarly situated,

11 Plaintiffs,

12 v.

13 CSK AUTO, INC., O'REILLY  
14 AUTOMOTIVE STORES, INC., and  
15 DOES 1-10, inclusive,

16 Defendants.

CASE NO. 3:17-CV-04263-RS

~~[PROPOSED]~~ ORDER GRANTING  
STIPULATION TO STAY ACTION  
PENDING RESOLUTION OF CLASS  
CERTIFICATION PROCEEDINGS IN  
FIRST-FILED ACTION


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18 On September 29, 2017, Plaintiff ADRIAN AGUILAR ("Plaintiff"), and Defendants CSK  
19 AUTO, INC., now known as O'Reilly Auto Enterprises, LLC, and O'REILLY AUTOMOTIVE  
20 STORES, INC. (collectively, "O'Reilly"), filed a stipulation to stay this action pending resolution  
21 of class certification proceedings in a first-filed action. Having read and considered the parties'  
22 stipulation, and finding good cause therefore, **IT IS HEREBY ORDERED THAT:**

23 1. This action is hereby stayed for all purposes, pending an order on the class  
24 certification motion pending in the Davidson Action (which is currently set for hearing on  
25 December 4, 2017);

26 2. O'Reilly shall have 30 days to answer or otherwise formally respond to Plaintiff's  
27 Class Action Complaint in this action, if necessary, following the issuance of an order on  
28 plaintiff's pending motion for class certification in the Davidson Action; and,

1           3.       That initial case management conference and all other deadlines in this action are  
2 hereby vacated. A status conference will be held on 2/8/18, at 10:00 am,  
3 to address the status of the class certification proceedings in the Davidson action and, if  
4 appropriate, to set new dates in this action.

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6 DATED: 9/29/17

  
HON. RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE